

DEFINED FOR PISF STUDY – INSTREAM PUBLIC USES, OUTSTANDING CHARACTERISTICS, AND RESOURCES

The following table represents the Department's understanding of the meaning of the Instream Public Uses, Outstanding Characteristics, and Resources that are listed in RSA 483 that the NH legislature has identified as criteria for the Protected Instream Flow. These definitions shall be used by the Protected Instream Flow contractor to identify Instream Public Uses, Outstanding Characteristics, and Resources on the Designated River.

In the table below the Department has matched similar components of Instream Public Uses, Outstanding Characteristics, and Resources that are listed in various parts of RSA 483. Definitions of each entity have been given that describe the entities as they are relevant to instream flow protection. Wherever possible the definitions were drawn from descriptions in the rules for Designated River nomination criteria under Env-C 700 RIVERS MANAGEMENT AND PROTECTION PROGRAM.

Instream public uses	Outstanding characteristics	Resources	Definition
<i>Env-Ws 1905.02 Protected Instream Flow Study. The protected instream flow study shall:</i>			
(c) For each segment, identify and catalog all instream public uses on the designated river listed under RSA 483:9-c.I, and designated uses under the federal Clean Water Act;	(b) For each segment, identify and catalog all outstanding characteristics listed under RSA 483:1;	(d) For each segment, identify and catalog all resources for which the river or segment is designated pursuant to RSA 483:6 IV a.	
include the state's interests in surface waters, including, but not limited to, navigation; recreation; fishing; storage; conservation; maintenance and enhancement of aquatic and fish life; fish and wildlife habitat; wildlife; the protection of water quality and public health; pollution abatement; aesthetic beauty; and hydroelectric energy production	including recreational, fisheries, wildlife, environmental, cultural, historical, archaeological, scientific, ecological, aesthetic, community significance, agricultural, and public water supply so that these valued characteristics shall endure as part of the river uses to be enjoyed by New Hampshire people	Whether the river, or segment or segments of such river, contain or represent either a significant statewide or local example of one or more of the following: (1) Scenic or recreational resource. (2) Open space or natural resource. (3) Fisheries, wildlife, vegetation, and rare species or habitat. (4) Cultural,	

		historical, or archaeological resource. (5) Hydrological or geological resource. (6) Water quality. (7) Scientific resource. (8) Community resource. (9) Current and projected withdrawals, discharges, or both, by public utilities and commercial or industrial users.	
Navigation			Navigation means use of the river for non-recreational, transportation purposes.
Recreational	Recreational	Recreational resource	Recreational use or resource means use of the river for swimming, boating or significant shoreland recreation, including, but not limited to, hiking, camping, picnicking, and bird watching.
Fishing	Fisheries	Fisheries	Fishing and Fisheries means recreational and commercial uses of the river for fishing identified by the presence of fish that are caught for recreation or commercial use.
		Open space resource	Open space means flow-dependent, characteristics of open space including, but not be limited to, national forest lands, state parks and forests, municipal parks, and conservation easements. There may be little or no flow-related issues concerning maintenance of open space.
		Natural resource	Natural resource means geologic, wildlife, endangered or threatened animals, wildlife habitat, wildlife travel corridor, vegetation/natural communities, fish resources, aquatic habitat for fish populations, a fishery that relies on natural reproduction or a stocking program, anadromous fish or a restoration effort, Class A waters or water quality equal to Class A or a Class B water or water quality equal to Class B, open space, natural flow characteristics. This category should only be invoked where the resource does not fit into another category.
Storage			Storage means the natural or man-made attributes of a river for water storage. Only Community Rivers are subject to new dam construction.
Wildlife	Wildlife	Wildlife	Wildlife for this purpose shall mean species that

			rely on flow and flow to regions, including, but are not limited to, waterfowl breeding or wintering areas, freshwater wetlands or riparian habitat, and saltwater wetlands associated with estuarine systems
		Rare species or habitat	Rare species are identified by lists of plants and animals or fish available from NHI and by the nomination papers. Rare habitats are habitats that support rare species or are rare ecosystems.
		Vegetation	Vegetation means native, flow-dependent species
	Environmental		Flow-dependent issues not included in other categories are unlikely.
Conservation			Flow-dependent issues not included in other categories are unlikely.
	Cultural	Cultural resource	Cultural resources or characteristics mean on-going river corridor management planning effort or other local efforts to protect or manage the river, the existence of a riverside park or other public area, or community support for riverfront revitalization as demonstrated by acts such as the filing of a petition, establishment of a municipal committee or citizen group, or fundraising activities.
		Historical resource	Flow-dependent issues are unlikely.
	Archaeological	Archaeological resource	Flow-dependent issues are unlikely.
Maintenance and enhancement of aquatic and fish life			Maintenance and enhancement of aquatic and fish life means the web of aquatic species that make up a balanced, integrated, and adaptive community of organisms having a species composition, diversity, and functional organization comparable to that of similar natural habitats of a region.
		Hydrological resource	Hydrologic resource means natural flow characteristics meaning the river is free-flowing, such that the river is 100 percent free-flowing with no man-made dams, diversions, or other modifications which affect the river's natural flow or the river is largely free-flowing without characteristics of impoundment excluding low dams, diversion works and other minor modifications.
		Geological resource	A geologic resource meaning a national, regional, state, or local geologic resource as determined by the state geologist or as listed in a national or state resource assessment. Flow-dependent issues are unlikely.
Fish habitat			Fish habitat means regions which are important to the survival of fish populations. Such regions

			include, but are not limited to, aquatic life spawning beds and feeding areas, freshwater wetlands or riparian habitat, and saltwater wetlands associated with estuarine systems.
Wildlife habitat			Wildlife habitat means habitat for game and non-game wildlife populations. Such regions include waterfowl breeding or wintering areas, freshwater wetlands or riparian habitat, and saltwater wetlands associated with estuarine systems.
	Historical		Flow-dependent issues are unlikely.
	Scientific	Scientific resource	It is not clear what is desired to be protected by this item.
Protection of water quality and public health		Water quality	Water quality and public health are the flow-dependent characteristics that maintain water quality of the river including, but not limited to and the maintenance of chemical and physical water quality parameters that support designated and existing uses. Identify water quality as Class A or Class B.
	Community significance	Community resource	Community river resource means a natural, managed, cultural, or recreational resource or use thereof associated with a river that is recognized by local residents or a municipal document accepted by the municipality, such as a master plan or a water resource management plan, as being important to a community adjacent to a river. "Recognized by local residents" for the purposes of this definition means that there are community projects, activities or events based on the river or its corridor such as river clean-ups, canoe races, or a riverfest. Community significance shall not include hydroelectric power generation.
Pollution abatement		Current and projected discharges by a public utility, commercial or industrial user	Pollution abatement and discharges include wastewater treatment facilities or industrial treatment facilities and aspects of flow affecting assumptions of flow for dilution and dispersal of waste in mixing zones and the rivers overall capacity to mitigate natural and non-point source contamination.
	Ecological		Ecology is a natural ecological community as determined by the NH natural heritage inventory.
Aesthetic beauty	Aesthetic	Scenic resource	Scenic sites shall include, but not be limited to, designated viewing areas, scenic vistas, and overlooks.
Hydroelectric energy production			Hydroelectric energy production is an existing hydroelectric facility on any classification of designated river, or a former hydroelectric facility site that has been unused for fewer than six years on a Rural or Rural-Community river. The

			description of potential site of hydroelectric facilities on Community rivers is beyond the scope of this project and should be clearly stated as such in the PISF report.
	Agricultural		Agriculture as defined by RSA 21:34:a. http://gencourt.state.nh.us/rsa/html/i/21/21-34-a.htm
	Public water supply	Withdrawals by a public utility, commercial or industrial user	A public water supply is an existing source of public drinking water that meets the Department's description of a public water system in http://www.des.state.nh.us/rules/envws300-309.pdf as stated in Env-Ws 302.02 Definitions. "Public water system" means a "public water system" as defined in RSA 485:I-a,XV, namely "a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. The identification of all projected water supplies is beyond the scope of this project and should be clearly stated as such in the PISF report.
Clean Water Act designated uses			<p>Use of the river shall not degrade the flow-dependent uses as instream public uses of the DR designated by the state under the CWA. The state's designated uses and criteria defining support of these uses are in the following paragraphs taken from the CALM.</p> <p><u>Aquatic Life</u> Waters that provide suitable chemical and physical conditions for supporting a balanced, integrated and adaptive community of aquatic organisms. Applicable to all surface waters.</p> <p><u>Fish Consumption</u> Waters that support fish free from contamination at levels that pose a human health risk to consumers. Applicable to all surface waters.</p> <p><u>Shellfish Consumption</u> Waters that support a population of shellfish free from toxicants and pathogens that could pose a human health risk to consumers. Applicable to all tidal surface waters.</p> <p><u>Drinking Water Supply</u> Waters that with conventional treatment will be suitable for human intake and meet state/federal drinking water regulations. Applicable to all fresh surface waters.</p> <p><u>Primary Contact Recreation</u> (i.e. swimming) Waters suitable for recreational uses that require or are likely to result in full body contact and/or incidental ingestion of water. Applicable to all surface waters.</p>

			<p><u>Secondary Contact Recreation</u> Waters that support recreational uses that involve minor contact with the water. Applicable to all surface waters.</p> <p><u>Wildlife</u> Waters that provide suitable physical and chemical conditions in the water and the riparian corridor to support wildlife as well as aquatic life. Applicable to all surface waters.</p>
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<http://www.des.state.nh.us/rivers/rsa483.htm>
<http://www.des.state.nh.us/rivers/10-22-96.htm>